

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: P. Bonutti

Confirmation No.:

Application No.: To be Assigned

Group Art Unit:

(Continuation of App No. 09/835,473)

Examiner:

Filed: Herewith

Attorney Docket No.: 782-A03-009-3

For: APPARATUS AND METHOD FOR TREATING A FRACTURE OF A BONE

**INFORMATION DISCLOSURE STATEMENT  
PURSUANT TO 37 C.F.R. § 1.56**

Commissioner for Patents  
Alexandria, VA 22313

Sir:

In accordance with the duty of disclosure provisions of C.F.R. § 1.56, there is hereby provided certain information, which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the application.

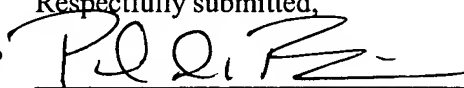
A revised Form PTO/SB/08 listing all patents, publications, applications, or other information submitted for consideration is enclosed. Copies of the listed documents from prior Application No. 09/835,473, filed April 16, 2001, of which this application claims priority under 35 U.S.C. § 120, are not being submitted pursuant to 37 C.F.R. § 1.98(d).

No admission is made that the information cited in this Statement is, or is considered to be prior art, material to patentability nor a representation that a search has been made.

This Information Disclosure Statement is filed under 37 C.F.R. § 1.97(b) before the latter of three months after the U.S. patent application filing date or the first Office Action on the merits. Accordingly, no fee or certification is required.

Respectfully submitted,

Dated: October 14, 2003



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PTO/SB/08A (10-96)

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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION</b> (use as many sheets as necessary)				Complete If Known		
				Application Number		
				Filing Date		
				First Named Inventor		
				Group Art Unit		
				Examiner Name		
Sheet	1	of	2	Attorney Docket Number		
<b>U.S. PATENT DOCUMENTS</b>						
Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document Number	Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	3,513,848		Winston et al	05/26/70	
	AB	4,388,921		Sutter et al.	06-21-83	
	AC	4,414,166		Charlson et al	11/08/83	
	AD	4,456,005		Lichty	06/26/84	
	AE	4,493,317		Klaue	01/15/85	
	AF	4,506,681		Mundell	03/26/85	
	AG	4,645,503		Lin et al	02/24/87	
	AH	4,662,068		Polonsky	05/05/87	
	AI	4,750,492		Jacobs	06/14/88	
	AJ	4,792,336		Hlavacek et al	12/20/88	
	AK	4,832,025		Coates	05/23/89	
	AL	4,935,028		Drews	06/19/90	
	AM	5,098,433		Freedland	03/24/92	
	AN	5,156,613		Sawyer	10/20/92	
	AO	5,163,960		Bonutti	11/17/92	
	AP	5,209,776		Bass et al	05/11/93	
	AQ	5,254,113		Wilk	10/19/93	
	AR	5,306,280		Bregen et al	04/26/94	
	AS	5,370,646		Reese et al	12/06/94	
	AT	5,474,554		Ku	12/12/95	
	AU	5,531,759		Kensey et al	07/02/96	
	AV	5,593,422		Muijs Van de Moer et al	01/14/97	
Examiner				Date Considered		

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIP Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231.

